

BEFORE THE
SURFACE TRANSPORTATION BOARD

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Docket No. AB 1043 (Sub-No. 1)

MONTREAL, MAINE & ATLANTIC RAILWAY, LTD.—
DISCONTINUANCE OF SERVICE AND ABANDONMENT—
IN AROOSTOOK AND PENOBSCOT COUNTIES, MAINE

MOTION FOR LEAVE TO FILE THE REBUTTAL OF MONTREAL, MAINE &
ATLANTIC RAILWAY, LTD. TO THE REPLY OF TWIN RIVERS PAPER
COMPANY AND UNITED STEELWORKS INTERNATIONAL UNION AND
UNITED STEELWORKERS LOCAL 4-0291, 4-0365, AND 4-1247 TO JOINT
PETITION FOR APPROVAL OF SETTLEMENT

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Dated: December 20, 2010

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The Montreal, Maine & Atlantic Railway, Ltd. ("MMA") hereby moves pursuant to 49 C.F.R. § 1117.1 for leave to file a rebuttal (the "Rebuttal") to the Reply of Twin Rivers Paper Company and United Steelworkers International Union and United Steelworkers Locals 4-0291, 4-0365 and 4-1247, filed in this proceeding on December 17, 2010, in connection with the Joint Petition of MMA and the State of Maine, Department of Transportation filed on December 9, 2010. MMA respectfully submits that even though 49 C.F.R. § 1104.13(c) generally prohibits the filing of a reply to a reply, the Board should exercise its discretion to permit the filing of this Rebuttal so as to ensure that the Board's decision-making process is based on a complete and accurate understanding of the pertinent facts. Granting this motion will neither broaden the issues raised in this proceeding nor prejudice any of the involved parties. The Board permits parties to file a reply to a reply when the filing "provides a more complete record,

clarifies the arguments, will not prejudice any party, and does not unduly prolong the proceeding. It is within the Board's discretion to permit otherwise impermissible filings." *BNSF Ry. Co.—Abandonment Exemption—In Kootenai County, ID*, STB Docket No. AB-6 (Sub-No. 468X), slip op. at 1-2 (STB served Nov. 27, 2009).

WHEREFORE, MMA respectfully requests that the Board grant its Motion and accept its Rebuttal for consideration.

Respectfully submitted,



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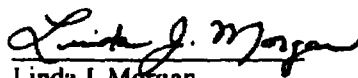
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Dated: December 20, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing Motion for Leave to File the Rebuttal of Montreal, Maine & Atlantic Railway, Ltd. to the Reply of Twin Rivers Paper Company and United Steelworks International Union and United Steelworkers Local 4-0291, 4-0365, and 4-1247 to Joint Petition for Approval of Settlement this 26th day of December, 2010 by causing copies to be sent to the parties of record in these proceedings either by overnight delivery service or by United States mail, postage prepaid.


Linda J. Morgan